



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SUSU12-00042 Marin Cabral Subdivision  
**Application Type:** Major Combination  
**CPC Hearing Date:** June 14, 2012

**Staff Planner:** Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** West of Pendale Road and South of North Loop Drive  
**Acreage:** 1.17 acres  
**Rep District:** 7  
**Existing Use:** Vacant  
**Existing Zoning:** R-2/sc (Residential/ special contract)  
**Proposed Zoning:** R-2/sc (Residential/ special contract)

**Nearest Park:** Pueblo Viejo Park (0.50-mile)  
**Nearest School:** Mission Valley Elementary School (0.94-mile)  
**Park Fees Required:** \$2,740.00  
**Impact Fee Area:** This property is not in an impact fee area and is not subject to impact fees.

**Property Owner:** Omar I. Marin & Jaime Cabral  
**Applicant:** CAD Consulting Company  
**Representative:** CAD Consulting Company

### **SURROUNDING ZONING AND LAND USE**

**North:** R-F (Ranch-Farm)/ Single-family residential development  
**South:** R-2/sc (Residential/ special contract)/ Single-family residential development  
**East:** R-F (Ranch-Farm)/ Single-family residential development  
**West:** R-2/sc (Residential/ special contract)/ Single-family residential development

**THE PLAN FOR EL PASO DESIGNATION:** G3 Post-War.

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide the subject property into two residential lots. Access is proposed from Van Haselen Court. This subdivision is being reviewed under the current subdivision code.

Pendale Road, which abuts the side of Lot 1, is an existing collector on the Major Thoroughfare Plan and is currently substandard with 50-feet of right-of-way consisting of 22-ft of pavement and a total of 8-ft of parkway with no sidewalks. The subdivision code requires a 56-foot right-of-way consisting of 36-ft of pavement, and 5-ft parkways and 5-ft sidewalks on each side of the street. The applicant does propose to dedicate his proportionate share of right-of-way on Pendale

Road. Van Haselen Court, which the proposed lots front on to, is an existing local street and currently substandard with 60-ft of right-of-way consisting of 35-ft of pavement and 12.5-ft parkways on each side with no sidewalks. The subdivision code requires a 52-foot right-of-way consisting of 32-ft of pavement, 5-ft parkways, and 5-ft sidewalks on each side of the street.

The applicant requests to waive all right-of-way improvements on both streets. Per Section 19.10.050(A)1 of the subdivision code, the City Plan Commission may waive the requirement to dedicate and improve the substandard right-of-way if any of the following factors are met:

- a. *Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood and have sufficient capacity to handle the increase in traffic to be generated by the proposed development; or,*
- b. *The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;*
- c. *For all plats located in the City of El Paso's Extraterritorial Jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.*

Staff agrees that factor (a) does apply in this situation.

#### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the waiver for right-of-way improvements in accordance with Section 19.10.050(A)1 and **approval** of Marin Cabral Subdivision on a **Major Combination** basis, subject to the following conditions and requirements:

#### **Planning Division Recommendation:**

***Approval with waiver.*** In this case, more than fifty percent (50%) of the lots within a quarter mile of the subject property are developed; and the abutting rights-of-way are both in character with the surrounding neighborhood and operate at intended capacity.

#### **City Development Department - Land Development**

We have reviewed subject plan and recommend **Approval**.

#### **No Objection**

Engineering Geotechnical Report shall be submitted along with the improvements plan. (*comment has been addressed*)

#### **Planning – Transportation**

##### **Comment:**

1. The existing cross-sections for Van Haselen Court and Pendale Road do not comply with Section 19.15.110 (Street Width and Design).
  - The proposed subdivision complies with the waiver requirements of Section 19.10.050.A.1.a (Roadway Participation) which allows for a waiver of the additional dedication and improvements required to bring Van Haselen Court and Pendale Road up to current development standards.

**Notes:**

1. A corner clip shall be required at the intersection of Pendale Road and Van Haselen Court.
2. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

**Parks and Recreation Department**

We have reviewed Marin Cabral Subdivision, a minor plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is composed of tow (2) "R-2/sc" Single-family residential dwelling lots and applicant is required to pay "Park fees" in the amount of **\$2,740.00** based on the following calculations:

Fees calculated as follows:

2 (R-2/sc) Single-family dwelling lots @ \$1,370.00 / dwelling = **\$2,740.00**

Please allocate funds under Park Zone: **MV-3**

Parks with-in Park Zone: **Marian Manor**

Nearest Parks is located with-in Park Zone MV-4: **Pueblo Viejo**

If density /acreage is increased /decreased or the property zoning /use changes, then fees will be re-assessed based on applicable conditions.

**El Paso Water Utilities**

1. EPWU does not object to this request.

**Water:**

2. There is an existing eight (8) inch diameter water main that extends along Pendale Road fronting the eastern boundary of the subject property. This water main is available for service.
3. There is an existing six (6) inch diameter water main that extends along Van Haselen Court fronting the northern boundary of the subject property. This water main is available for service.
4. Previous water pressure readings from fire hydrant 1933 located at the east Right of Way line of Pendale Road at the intersection of Pendale Road and Van Haselen Court have yielded a static pressure of 92 pounds per square inch (psi), a residual pressure of 72 psi and a discharge of 1233 gallons per minute.
5. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

**Sanitary Sewer:**

6. There is an existing thirty-six (36) inch diameter sanitary sewer interceptor that extends along Pendale Road fronting the eastern boundary of the subject property. No direct service connections are allowed to this interceptor as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

7. There is an existing eight (8) inch diameter sanitary sewer main that extends along Pendale Road fronting the eastern boundary of the subject property. This sanitary sewer main dead-ends at a stub-out approximately 30 feet south of the northern boundary and extends north along Pendale Road. This main is available for service.

8. There is an existing eight (8) inch diameter sanitary sewer main that extends along Pendale Road fronting the eastern boundary of the subject property. This sanitary sewer main dead-ends at a manhole approximately 30 feet north of the southern boundary and extends south along Pendale Road. This main is available for service.

9. There are two (2) existing eight (8) inch diameter sanitary sewer mains that extend along Van Haselen Court fronting the northern boundary of the subject property. These sanitary sewer mains are available for service.

**General:**

10. Application for water and sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water lines and appurtenances.

**EPWU Stormwater Division**

1. Provide an approved drainage plan in accordance with Section 19.01.050 of the current city ordinance. The drainage plan shall be in compliance with the City of El Paso's Design Standards for Construction.

2. Revise the following on-site ponding note on the final plat. See on-site ponding note below.

**On-site Ponding Notes:**

7. On-site ponding areas and permanent elevation markers shall be constructed and inspected prior to building occupancy. Permanent Certificate of Occupancy, required to obtain utility services, will be issued only after the City of El Paso has performed the inspection.

**El Paso Fire Department**

No comments received.

**911**

No comments received.

**Sun Metro**

No comments received.

**Central Appraisal District**

No comments received.

**El Paso Electric Company**

No comments received.

**Texas Gas Company**

No comments received.

**Ysleta Independent School District**

No comments received.

**Additional Requirements and General Comments:**

1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

**Attachments**

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Application

ATTACHMENT 1



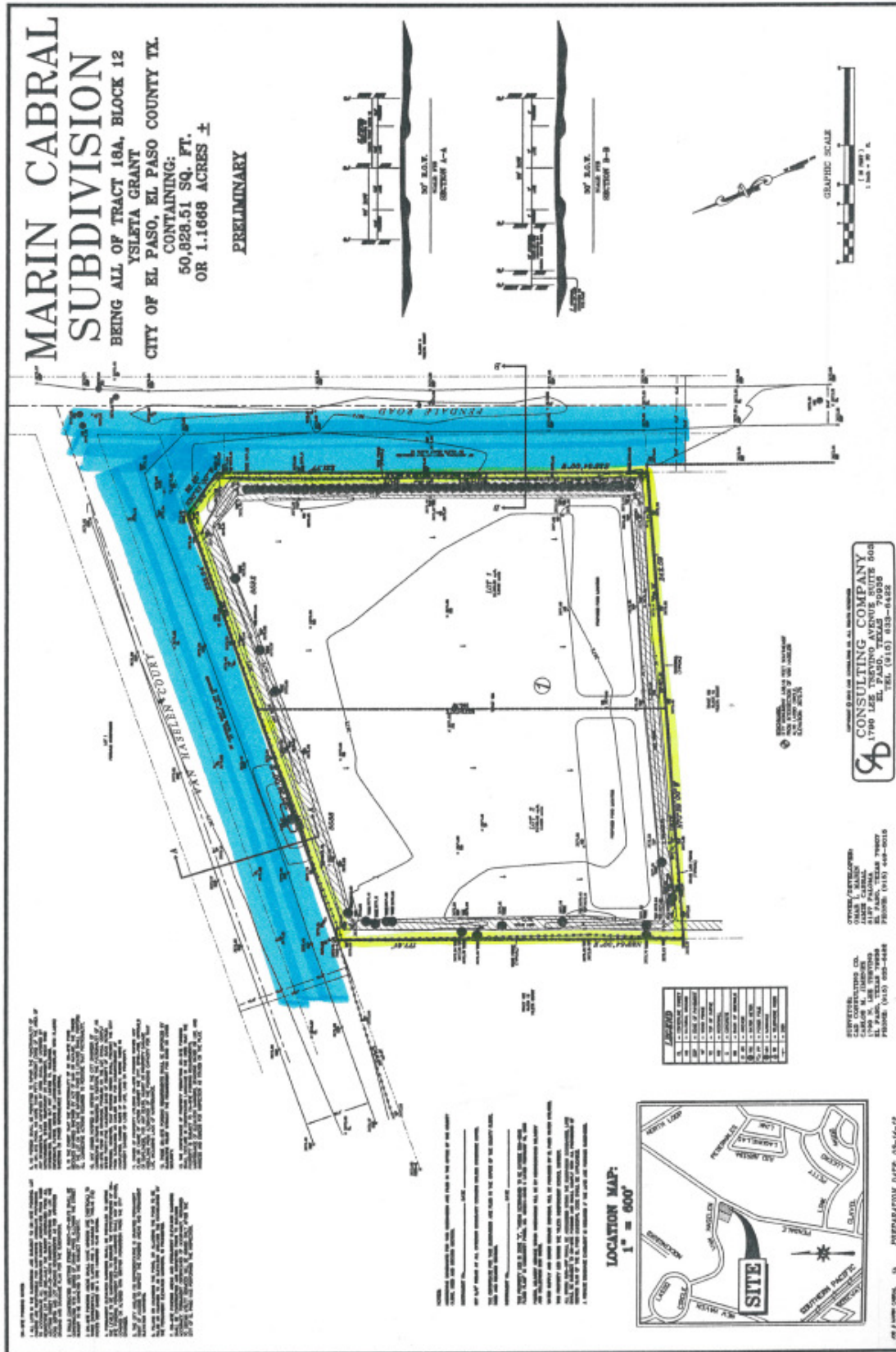


ATTACHMENT 2





# ATTACHMENT 3





**MARIN CABRAL  
SUBDIVISION**  
BEING ALL OF TRACT 18A, BLOCK 12  
YSLETA GRANT  
CITY OF EL PASO, EL PASO COUNTY TEX.  
CONTAINING:  
50,828.51 SQ. FT.  
OR 1.1668 ACRES ±

**DECLARATION**

I, James L. Smith, declare that, to the best of my knowledge and belief, the foregoing is a true and correct statement of the facts and circumstances of the case, and I am not aware of any other facts or circumstances which would make the foregoing statement false or misleading.

Witness my signature this 10th day of August, 1968.

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[illegible]

**CITY PLAN COMMISSION**

The candidate is hereby opposed to the plan and so the  
members of the commission will vote with chapter 205 of the local  
formatted date of June 1st \_\_\_\_\_ day of \_\_\_\_\_ 2005, A.D.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Approved by City Clerk

\_\_\_\_\_  
City Engineer

P I L L E R

Please send me the following information:

Name \_\_\_\_\_ Age of \_\_\_\_\_ Sex \_\_\_\_\_  
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0893-3200/00/\$12.00 DOI: 10.1037/0893-3200.15.1.100

OWEN/VERMILION  
OMAR L. MARSH  
JAMES CALDWELL  
OLIV PALOMA  
EL. PABO, TOLLAS TROTT  
PROOF. (015) 440-0010

**SUPERVISOR:**  
CAB CONSULTING CO.,  
CARLOS M. ALMEIDA  
1799 N. LEE STREET  
ST. PETERSBURG, FLORIDA 33706  
PHONE: (813) 892-6489

**CD CONSULTING COMPANY**  
1799 LEE TREVINO AVENUE SUITE 503  
EL PASO, TEXAS 79938  
TEL (915) 833-8422

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ASTOR LENOX TILDEN FOUNDATIONS  
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**LOCATION MAP:**  
1" = 500'



# ATTACHMENT 5



## CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION COMBINATION APPROVAL

DATE: \_\_\_\_\_ FILE NO. SUSU12-00042

SUBDIVISION NAME: MAHN CABRAL SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
TRACT 18A, BLOCK 12  
VISITA, GRANT

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	<u>1.1668</u>	<u>2</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	Total No. Sites	_____	<u>2</u>
Commercial	_____	_____	Total (Gross) Acreage	<u>1.1668</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? R-2 Proposed zoning? \_\_\_\_\_

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ☒ No \_\_\_\_\_

5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both \_\_\_\_\_

6. What type of drainage is proposed? (If applicable, list more than one)  
ON-SITE PONDING

7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No ☒

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No \_\_\_\_\_  
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

10. Improvement Plans submitted? Yes \_\_\_\_\_ No ☒

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No ☒

If yes, please submit a vested \_\_\_\_\_ rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record OMARIMARIN & JAIME CABRAL 449-8015  
(Name & Address) (Zip) (Phone)
13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)
14. Engineer CAD CONSULTING CO. 633-6422  
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
FEE: \$2,088.00

OWNER SIGNATURE: Omar Marin JAIME CABRAL  
REPRESENTATIVE: ~~XXXXXXXXXX~~

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.